

EXHIBIT B

FILED
5/24/2022 11:19 AM
DANIEL P. SCHETTER
CLERK OF THE CIRCUIT COURT
JERSEY COUNTY, ILLINOIS

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
JERSEY COUNTY, ILLINOIS**

PENNY ELLIOTT,)	
Plaintiff,)	2022CH4
)	
VS.)	NO.
)	
ROBERT ELLIOTT, UNITED STATES)	
OF AMERICA, UNITED STATES OF)	
AMERICA ACTING THROUGH THE)	
FARMERS HOME ADMINISTRATION,)	
UNITED STATES DEPARTMENT OF)	
AGRICULTURE, FANNING LAW OFFICE)	
OF HARDIN, INC., UNKNOWN OWNERS,)	
UNKNOWN OWNERS WHO ARE UNDER)	
LEGAL DISABILITY, UNKNOWN OWNERS)	
WHO ARE IN THE MILITARY SERVICE,)	
and NON-RECORD CLAIMANTS.)	
Defendants.)	

COMPLAINT TO FORECLOSE

Now comes, Plaintiff, **PENNY ELLIOTT**, by and through her Attorney, Edward J.

Fanning, and for her complaint against the Defendants, states as follows:

1. Plaintiff files this Complaint to Foreclose the mortgage hereinafter described and joins the following persons as Defendants:

**ROBERT ELLIOTT, UNITED STATES OF AMERICA ACTING THROUGH
THE FARMERS HOME ADMINISTRATION, UNITED STATES DEPARTMENT
OF AGRICULTURE, THE DEPARTMENT OF THE TREASURY, FANNING
LAW OFFICE OF HARDIN, INC., UNKNOWN OWNERS, UNKNOWN
OWNERS WHO ARE UNDER LEGAL DISABILITY, UNKNOWN OWNERS
WHO ARE IN THE MILITARY SERVICE, and NON-RECORD CLAIMANTS.**

2. A copy of First Memorandum of Judgment sought to be foreclosed herein is marked Exhibit #1, attached hereto and made a part hereof.

Information concerning first Memorandum of Judgment:

A. Nature of Instrument: **Memorandum of Judgment;**

B. Date of Memorandum: **July 29, 2021;**

C. Name of Debtor(s) **Robert Elliott;**

D. Name of Creditor: **Penny Elliott;**

E. Date and Place of recording: **October 14, 2021, in the**

Recorder's Office Jersey County, Illinois, as Document No. 202100165898;

F. Interest subject to the Memorandum: **Fee Simple;**

G. Amount of original indebtedness: **\$185,873.00;**

H. Legal Description of real estate:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, AND THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 23, AND THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND A TRACT OF LAND IN THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THENCE SOUTH 60 FEET, THENCE IN A NORTHEASTERLY DIRECTION TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER 214.5 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THENCE WEST 214.5 FEET TO THE POINT OF BEGINNING, CONTAINING .147 ACRES, MORE OR LESS, IN SECTION 26, SAID LAST DESCRIBED TRACT OF LAND TO BE USED AS A PUBLIC ROAD, ALL IN TOWNSHIP 9 NORTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, CONTAINING 105 ACRES, MORE OR LESS, WITH PRIVILEGE OF AND SUBJECT TO EASEMENTS, RESERVATIONS, RIGHT OF WAY GRANTS,

**EXCEPTIONS, COVENANTS, AGREEMENTS AND RESTRICTIONS OF
RECORD, JERSEY COUNTY ILLINOIS.**

PIN #11-023-006-00 & 11-026-002-00

I. Statements as to defaults: Defendant, **ROBERT ELLIOTT**, has failed to pay the principal and interest due and owing and is currently in default for said Memorandum of Judgment. Defendant has been given prior notice of the default.

J. Statements as to amount due on First Memorandum of Judgment:

Principal	\$185,873.00
Interest	\$ 13,016.17
Attorney's Fees	\$ <u>840.00</u>
GROSS AMOUNT DUE	\$199,729.19
Less/Plus Balance in Reserve Accounts	\$ <u>-0-</u>
NET AMOUNT DUE	\$199,729.19

Together with \$45.8316 daily interest after May 9, 2022, plus costs and reasonable Attorney's fees accruing after this date.

K. Name of present owner of the real estate: **ROBERT ELLIOTT**.

L. Names of other persons who are joined as defendants and whose interest in or lien on the real estate is sought to be terminated:

1) **THE UNITED STATE OF AMERICA ACTING THROUGH
THE FARMERS HOME ADMINISTRATION, UNITED STATES
DEPARTMENT OF AGRICULTURE** by virtue of a mortgage in the amount of \$168,000.00 dated 01/30/1996 and recorded in the Recorder's Office of Jersey County, Illinois on 01/30/1996 as document number 0042335 in Book 560 at Page 318.

2) **THE UNITED STATE OF AMERICA ACTING THROUGH THE FARMERS HOME ADMINISTRATION, UNTIED STATES DEPARTMENT OF AGRICULTURE** by virtue of a mortgage in the amount of \$37,900.00 dated 04/21/1997 and recorded in the Recorder's Office of Jersey County, Illinois on 04/21/1997 as document number 0047869 in Book 616 at Page 28.

3) **THE UNTIED STATES DEPARTMENT OF AGRICULTURE** by virtue of a mortgage in the amount of \$316,096.52 dated 04/15/2004 and recorded in the Recorder's Office of Jersey County, Illinois on 04/15/2004 as document number 200400089778 in Book 1154 at Page 234.

4) **THE DEPARTMENT OF THE TREASURY** by virtue of a Federal Tax Lien against Robert Elliott in the amount of \$71,042.26 dated 11/17/2014 and recorded in the Recorder's Office of Jersey County, Illinois on 06/22/2015 as document number 201500142914 in Book 1956 at Page 156.

5) **FANNING LAW OFFICE OF HARDIN, INC.** by virtue of a Memorandum of Judgment against Robert Elliott in the amount of \$7,766.20 dated 07/29/2021 and recorded in the Recorder's Office of Jersey County, Illinois on 10/14/2021 as document number 202100165899 consisting of one (1) page.

6) **UNKNOWN OWNERS** who have or claim to have any right, title, interest, claim or lien in, to or upon the real estate sought to be foreclosed herein, including, **UNKNOWN OWNERS WHO ARE**

**UNDER LEGAL DISABILITY and UNKNOWN OWNERS WHO
ARE IN THE MILITARY SERVICE, and NON-RECORD
CLAIMANTS.**

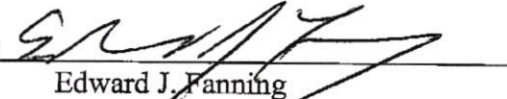
N. Capacity in which Plaintiff brings this foreclosure: Legal holder of the indebtedness;

WHEREFORE, Plaintiff, PENNY ELLIOTT, prays for:

1. A judgment of foreclosure and sale;
2. A judgment for costs and expenses and
3. For such further and other relief as the court may deem just and appropriate.

PENNY ELLIOTT

By


Edward J. Fanning
Attorney for Plaintiff

**PLEASE BE ADVISED THAT I AM ATTEMPTING TO COLLECT THIS DEBT
AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
MY CLIENT RESERVES THE RIGHT TO TAKE APPROPRIATE ACTION TO
PROTECT HER INTEREST AT ANY TIME.**

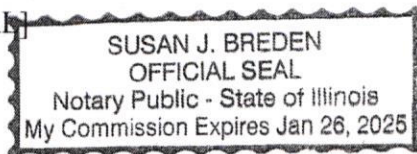
VERIFICATION

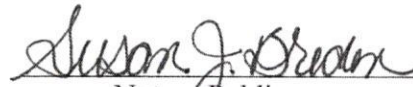
I, Penny Elliott, Being first duly sworn on oath depose and state that I am the Plaintiff in the above cause; that I have read the foregoing Complaint to Foreclose and that I know the contents thereof and that the same are true and correct to the best of my knowledge and belief and that all copies are true and accurate copies of such.


Penny Elliott, Plaintiff

Subscribed and sworn to before me this 19th day of May, 2022.

[SEAL]




Notary Public

Fanning Law Office of Hardin, Inc.
A Professional Corporation
207 West Main Street ~ P.O. Box 527
Hardin, Illinois 62047
Telephone: 618-576-2284
Facsimile: 618-576-2286
STATE ARDC #06210595
Email: edslaw2000@yahoo.com